

ENTERED

November 01, 2022

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISIONRON DUNN, *et al.*,

Plaintiffs,

v.

DEBRA GIBBS, *et al.*,

Defendants.

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CIVIL ACTION NO. 2:22-CV-00201

ORDER ADOPTING MEMORANDUM & RECOMMENDATION

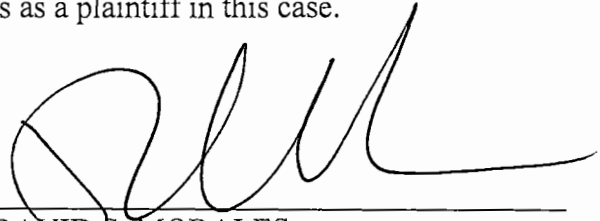
Before the Court is Magistrate Judge Mitchel Neurock's Memorandum and Recommendation ("M&R"). (D.E. 19). The M&R recommends that the Court construe Plaintiff Gilbert Delos Santos's letter to the Court, (D.E. 16), as a notice of dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i) and that the Court dismiss Plaintiff Delos Santos's claims without prejudice. (D.E. 19, p. 2).

The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's M&R. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b); General Order No. 2002-13. No objection has been filed. When no timely objection has been filed, the district court need only determine whether the Magistrate Judge's M&R is clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam); *Badaiki v. Schlumberger Holdings Corp.*, 512 F. Supp. 3d 741, 743–44 (S.D. Tex. 2021) (Eskridge, J.).

Having reviewed the proposed findings and conclusions of the Magistrate Judge, the filings of the parties, the record, and the applicable law, and finding that the M&R is not clearly erroneous or contrary to law, the Court **ADOPTS** the M&R in its entirety. (D.E. 19). Accordingly, the Court **DISMISSES without prejudice** Plaintiff Delos Santos's claims. (D.E. 1). The Clerk of Court is

DIRECTED to **TERMINATE** Gilbert DeLos Santos as a plaintiff in this case.

SO ORDERED.



DAVID S. MORALES
UNITED STATES DISTRICT JUDGE

Dated: Corpus Christi, Texas
November 1, 2022